

## CLASSIFICATION OFFICE DECISION

**Title of publication:** Untitled aka Image 5

**Other known title(s):** Not stated

**OFLC ref:** 1001821.004

**Medium:** Computer Image File Printout

**Publisher:** Not stated

**Country of origin:** Not stated

**Language:** Not applicable

**Applicant:** Commissioner of Police

<b>Classification:</b>	Objectionable.
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**Descriptive note:** None

**Display conditions:** None

**Date of entry in Register:** 22 December 2010

**Date of direction to issue a label:** No direction to issue a label has been issued

### Summary of reasons for decision:

The computer moving image file is deemed objectionable under s3(2) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) because it promotes and supports the exploitation of children or young persons for sexual purposes. The file salaciously focuses on a young girl's nudity and sexualised pose, in a manner that is intended to sexually arouse viewers with a prurient interest in children or young persons. For such people, the publication serves to legitimise and encourage that interest.

The Classification Office has considered the effects of the New Zealand Bill of Rights Act 1990 on the application of the classification criteria. The classification of this publication interferes with freedom of expression, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the FVPC Act are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children or young persons for sexual purposes.